

**As Passed by the House**

**126th General Assembly  
Regular Session  
2005-2006**

**Sub. H. B. No. 257**

**Representatives Hagan, Evans, D., Strahorn, Ujvagi, Chandler, Allen, Barrett,  
Beatty, Brown, Calvert, Carano, Cassell, Combs, DeBose, Domenick,  
Evans, C., Faber, Fende, Flowers, Garrison, Harwood, Hughes, Martin,  
Mason, McGregor, J., Oelslager, Patton, T., Sayre, Schaffer, Seitz, Smith, S.,  
Stewart, D., Stewart, J., Taylor, Widowfield, Yates, Yuko**

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**A B I L L**

To enact sections 3721.041 and 3727.19 of the Revised Code to require nursing homes and other homes for the elderly to offer residents vaccinations against influenza and pneumonia and to require hospitals to offer certain patients vaccinations against influenza and pneumonia.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3721.041 and 3727.19 of the Revised Code be enacted to read as follows:

**Sec. 3721.041.** (A) As used in this section:

(1) "Advisory committee" means the advisory committee on immunization practices of the United States centers for disease control and prevention or a successor committee or agency.

(2) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(B) Each home shall, on an annual basis, offer to each

resident, in accordance with guidelines issued by the advisory committee, vaccination against influenza, unless a physician has determined that vaccination of the resident is medically inappropriate. The vaccine shall be of a form approved by the advisory committee for that calendar year. A resident may refuse vaccination.

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(C) Each home shall offer to each resident, in accordance with guidelines issued by the advisory committee, vaccination against pneumococcal pneumonia, unless the resident has already received such vaccination or a physician has determined that vaccination of the resident is medically inappropriate. Each vaccine shall be of a form approved by the advisory committee for that calendar year. A resident may refuse vaccination.

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(D) The director of health may adopt rules under Chapter 119. of the Revised Code as the director considers appropriate to implement this section.

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**Sec. 3727.19. (A) As used in this section:**

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(1) "Advisory committee" means the advisory committee on immunization practices of the United States centers for disease control and prevention or its successor agency.

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(2) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

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(B) Each hospital shall offer to each patient who is admitted to the hospital, in accordance with guidelines issued by the advisory committee, vaccination against influenza, unless a physician has determined that vaccination of the patient is medically inappropriate. The vaccine shall be of a form approved by the advisory committee for that calendar year. A patient may refuse vaccination.

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(C) Each hospital shall offer to each patient who is admitted 47  
to the hospital, in accordance with guidelines issued by the 48  
advisory committee, vaccination against pneumococcal pneumonia, 49  
unless a physician has determined that vaccination of the patient 50  
is medically inappropriate. Each vaccine shall be of a form 51  
approved by the advisory committee for that calendar year. A 52  
patient may refuse vaccination. 53

(D) The director of health may adopt rules under Chapter 119. 54  
of the Revised Code as the director considers appropriate to 55  
implement this section. 56